

AMENDED IN SENATE MARCH 1, 2016

AMENDED IN SENATE FEBRUARY 10, 2016

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 558

Introduced by Assembly Member Low
(Coauthors: Assembly Members Gray and Linder)
(Coauthors: Senators Fuller, Gaines, and Huff)

February 23, 2015

An act to amend Section 19533.5 of the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 558, as amended, Low. Horse racing: nonthoroughbred races.

(1) The Horse Racing Law generally requires that any license granted to an association other than a fair is only for one type of racing, thoroughbred, harness, or quarter horse racing, as the case may be, except that the California Horse Racing Board may authorize the entering of thoroughbred and Appaloosa horses in quarter horse races at a distance not exceeding 5 furlongs at quarter horse meetings, mixed breed meetings, and fair meetings under specified conditions. That law, notwithstanding these provisions, empowers the board to authorize mixed breed racing that sanctions, among other things, either an association to conduct a quarter horse meeting to include Appaloosa races and Arabian races with the consent of the quarter horse horsemen's organization or a race between a quarter horse and a thoroughbred horse at a thoroughbred meeting with the consent of the thoroughbred

horsemen's organization, if each contracts with the association with respect to the conduct of the racing meeting.

This bill would empower the board to authorize an association licensed to conduct a thoroughbred race meeting to include up to 6 nonthoroughbred races per calendar year with the consent of the organization representing thoroughbred horsemen and horsewomen, provided, however, that a nonthoroughbred race shall not be held when a fair in the northern zone is conducting a race meeting without that fair's consent. Amounts deducted and distributed pursuant to the Horse Racing Law from wagering on nonthoroughbred races authorized pursuant to these provisions would be required to be deducted and distributed as if the wagers were placed on a thoroughbred race. By expanding the provisions of the Horse Racing Law, a violation of which is a crime, the bill would create new crimes and would thereby impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19533.5 of the Business and Professions
2 Code is amended to read:

3 19533.5. (a) Notwithstanding Section 19533, the board may
4 authorize the following mixed breed racing:

5 (1) An association licensed to conduct a quarter horse meeting
6 to include Appaloosa races and Arabian races with the consent of
7 the quarter horse horsemen's organization contracting with the
8 association with respect to the conduct of the racing meeting.

9 (2) A race between a quarter horse and a thoroughbred horse at
10 a thoroughbred meeting with the consent of the thoroughbred
11 horsemen's organization contracting with the association with
12 respect to the conduct of the racing meeting.

1 (b) Notwithstanding Section 19533, an association licensed to
2 conduct quarter horse racing or a fair may conduct races that
3 include paint horses racing with quarter horses or Appaloosa horses
4 in the same race. When paint horses race with quarter horses, the
5 consent of the organization that represents quarter horse horsemen
6 and horsewomen shall first be obtained. A quarter horse association
7 may write a race for paint horses only to replace an Appaloosa or
8 Arabian race without increasing the average number of races run
9 per race day with the consent of the organization representing the
10 quarter horsemen and horsewomen.

11 (c) A quarter horse race with seven or more entries shall not be
12 replaced by a race that includes paint horses, without the consent
13 of the organization that represents quarter horse horsemen and
14 horsewomen.

15 (d) Notwithstanding any other law, a quarter horse racing
16 association or fair conducting barrel racing, paint horse racing,
17 show jump racing, or steeplechase racing shall pay to the quarter
18 horsemen's organization the amount specified in Section 19613
19 for purposes of representing the horsemen and horsewomen
20 conducting these races.

21 (e) Notwithstanding Section 19533, the board may authorize
22 an association licensed to conduct a thoroughbred race meeting to
23 include up to six nonthoroughbred races per calendar year with
24 the consent of the organization representing thoroughbred
25 horsemen and horsewomen, provided, however, that a
26 nonthoroughbred race shall not be held when a fair in the northern
27 zone is conducting a race meeting without that fair's consent.
28 ~~Amounts~~ *Notwithstanding subdivision (b) of Section 19617.8,*
29 *amounts* deducted and distributed pursuant to this chapter from
30 wagering on nonthoroughbred races authorized pursuant to this
31 section shall be deducted and distributed as if the wagers were
32 placed on a thoroughbred race.

33 SEC. 2. No reimbursement is required by this act pursuant to
34 Section 6 of Article XIII B of the California Constitution because
35 the only costs that may be incurred by a local agency or school
36 district will be incurred because this act creates a new crime or
37 infraction, eliminates a crime or infraction, or changes the penalty
38 for a crime or infraction, within the meaning of Section 17556 of
39 the Government Code, or changes the definition of a crime within

1 the meaning of Section 6 of Article XIII B of the California
2 Constitution.

3 SEC. 3. This act is an urgency statute necessary for the
4 immediate preservation of the public peace, health, or safety within
5 the meaning of Article IV of the Constitution and shall go into
6 immediate effect. The facts constituting the necessity are:

7 In order to ensure that the horse racing industry may continue
8 to offer the highest level of racing possible and promote horse
9 racing in California, it is necessary that this act take effect
10 immediately.

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